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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

16
17 AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

18 Plaintiffs,

19 v.

20 DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

21 Defendants.

22 Case No. 3:25-cv-03698-SI

23
24 **DEFENDANTS' OPPOSITION TO**
PLAINTIFFS' MOTION TO SHORTEN
TIME FOR DEFENDANTS TO RESPOND
TO REQUEST FOR PRODUCTION

1 The Court should deny Plaintiffs' motion to shorten Defendants' time to respond to
 2 Plaintiffs' Request for Production of Documents, ECF NO. 178-1 Ex. A (RFPs). For the reasons
 3 set forth in Defendants' motion to quash those RFPs and for a protective order, Defendants should
 4 be relieved of any obligation to respond to the RFPs at all. As the motion explains, the RFPs: (1)
 5 seek discovery that should be deferred pending resolution of Defendants' forthcoming motion to
 6 dismiss; (2) improperly seek discovery on Administrative Procedure Act claims; (3) seek
 7 discovery related to legal theories foreclosed by the Supreme Court's recent order staying this
 8 Court's preliminary injunction; (4) seek discovery concerning the Department of Governmental
 9 Efficiency (DOGE) that is particularly improper, including that it seeks intra-agency documents
 10 that would be both extraordinarily burdensome to collect and irrelevant to even Plaintiffs' legal
 11 theories; (5) seek information that is privileged; and (6) otherwise seek discovery that is overly
 12 burdensome, irrelevant, and relates to potential relief that this Court could not grant. Defendants
 13 incorporate by reference those arguments here. *See* ECF No. 210 at 5-17.

14 To be clear, there is no lawful basis for the discovery Plaintiffs seek, and Defendants
 15 reserve the right to seek mandamus relief if they are required to provide this discovery on any
 16 timetable. But at the very least, the Court should deny the motion to shorten Defendants' time to
 17 respond to their requests for many of the same reasons set forth above and in Defendants' motion—
 18 in particular, because there is no urgency associated with Plaintiffs' request, which amounts to a
 19 fishing expedition for a broad swathe of almost certainly privileged communications relating to
 20 arguments that are meritless and/or foreclosed by the Supreme Court, and in apparent aid of future
 21 requests for injunctive relief that this Court could not grant. But in addition to these points and all
 22 the other considerations set forth above and in Defendants' motion filed earlier this afternoon, it
 23 would be impossible for Defendants to comply with an order requiring them to respond by July
 24 28¹ as to "DOGE"—given that, as discussed above and in Defendants' motion, Plaintiffs define
 25

26 ¹ Plaintiffs' motion to shorten time seeks to require Defendants to respond by July 25. In
 27 discussions this afternoon concerning the briefing schedule for Defendants' since filed motion to
 28 quash and for a protective order, Plaintiffs stated that they were willing to extend that deadline to
 July 28 in exchange for Defendants' agreement that they could have until July 21 to respond to
 that motion to quash and for a protective order.

1 DOGE to include intra-agency communications from every Federal Agency Defendant
 2 “discussing any” ARRP “in whole or any part,” at least insofar as those communications concern
 3 agency DOGE Teams.

4 In its Friday evening order directing Defendants to respond to the motion to shorten time
 5 by today, the Court instructed that “defendants shall identify any categorical objections to
 6 production of documents responsive to plaintiffs’ Request No. 1.” Defendants respectfully refer
 7 the Court to, and incorporate by reference, Part V of the Argument in their motion to quash and
 8 for a protective order.

9
 10 Dated: July 15, 2025

Respectfully submitted,

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